Naciones Unidas S/2004/619



Consejo de Seguridad

Distr. general
4 de agosto de 2004
Español
Original: inglés

Carta de fecha 23 de julio de 2004 dirigida al Presidente del Consejo de Seguridad por el Secretario General

Tengo el honor de referirme al párrafo 2 del artículo 12 bis del Estatuto del Tribunal Penal Internacional para Rwanda, que dice lo siguiente:

> "Cuando se produzca una vacante en las Salas entre los magistrados permanentes elegidos o designados de conformidad con lo dispuesto en el presente artículo, el Secretario General, tras celebrar consultas con el Presidente del Consejo de Seguridad y el Presidente de la Asamblea General, designará a una persona que reúna las condiciones a que se hace referencia en el artículo 12 del presente Estatuto para que desempeñe el cargo por el resto del período."

A ese respecto, quisiera informarle de que el Magistrado Asoka Gunawardena, nacional de Sri Lanka, ha renunciado al cargo de magistrado permanente del Tribunal Internacional, con efecto a partir del 30 de junio de 2004.

El Gobierno de Sri Lanka ha presentado la candidatura del Magistrado J. Asoka de Silva, nacional de Sri Lanka, para reemplazar al Magistrado Gunawardena. Adjunto figura su curriculum vitae (véase el anexo)*.

En mi opinión, el Magistrado de Silva cumple las condiciones que se exigen en el artículo 12 del Estatuto del Tribunal Internacional. Asimismo, considero que el nombramiento del Magistrado de Silva garantizaría la representación adecuada en el Tribunal de los principales sistemas jurídicos mundiales, como se dispone en el apartado c) del párrafo 1 del artículo 12 bis del Estatuto del Tribunal.

Por consiguiente, quisiera celebrar consultas con usted con respecto a la designación del Magistrado de Silva, de conformidad con lo dispuesto en el párrafo 2 del artículo 12 bis del Estatuto del Tribunal Penal Internacional para Rwanda. Aguardo con interés conocer su opinión sobre el asunto.

(*Firmado*) Kofi A. **Annan**

* El anexo se distribuye únicamente en el idioma en que fue presentado.

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Anexo

Curriculum vitae

Joseph Asoka Nihal de Silva

Personal

Born 17 May 1946

Nationality

Sri Lankan

Qualifications

Academic

Primary and secondary education at St. Anthony's College, Kandy, Sri Lanka

Bachelor of Laws, University of Ceylon, Colombo (LLB), 1971

Master of Laws, University of Colombo (LLM), 1982, in Administrative Law

Graduate course in criminology at the University of Illinois, 1987, including Muslim law, theories of punishment and comparative legal systems

Course in environmental law at the International Development Law Institute, Rome, 1992

Course in drafting commercial agreements at the University of London, 1995

Professional

Enrolled as an Attorney-at-Law of the Supreme Court in 1972

Joined the Attorney General's Department as a Crown Counsel in 1974 advancing to the position of Senior Deputy Solicitor General in 1995

Appointed as a Judge of the Court of Appeal in 1995 and made President of that Court in February 2001

Appointed as a Judge of the Supreme Court on 1 August 2001, the highest court in Sri Lanka

Presently functioning as a Senior Judge of the Supreme Court and presiding over most benches

Experience

In the Attorney General's Department, prosecuted in the original Courts

Represented the Attorney General in criminal appeals before the Court of Appeal and the Supreme Court

In the field of fundamental rights, appeared on behalf of police, armed forces and other governmental departments

Nominated on several occasions as a Judge Advocate at court martial proceedings

Appointed head of the Corporation Division of the Attorney General's Department

Other qualifications

Lecturer and Examiner of the Sri Lanka Law College, appointed by the Council of Legal Education

Visiting Lecturer, University of Colombo and University of Sri Jayawardenapura: 1985-1986

Member, National Dangerous Drugs Control Board: 1990-1992

Member, National Task Force to Formulate Environmental Policy

Represented Sri Lanka at the United Nations Conference on Environment and Development, Rio de Janeiro, Brazil, 1992

Attended several conferences of the South Asian Association for Regional Cooperation (SAARC) and the Law-Asia Conference

Attended conferences on refugee problems in New Delhi (1999) and Geneva (2000)

Attended course for senior judges in Australia organized by the International Development Law Organization

Followed a course in environmental law, International Development Law Institute, Rome, 1992

Followed a course in drafting commercial contracts and arbitration at the University of London, 1995